

PATENT
Docket No. 204372000901

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 12, 2003.

Ruthie Vallejo
Ruthie Vallejo

#15
Jm
9/20/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Lynn E. SPITLER and Isaiah Fidler

Serial No.: 09/764,546

Filing Date: 17 January 2001

For: THERAPEUTIC PROPERTIES OF
LIPOSOME-ENCAPSULATED
IMMUNOMODULATORS

Examiner: Susan Ungar, Ph.D.

Group Art Unit: 1642

RECEIVED

SEP 17 2003

TECH CENTER 1600/2900

AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to an Office Action herein mailed 12 June 2003, time for response to which was set to expire 12 August 2003. The only claim considered, claim 61, was rejected. The basis for rejection has again been considered and the following discussion is offered in response. Reconsideration is respectfully requested.

OIPE
 SEP 15 2003
 PATENT & TRADEMARK OFFICE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (05-03)
 Approved through 04/30/2003. OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

AF 1600

<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	09/764,546
		Filing Date	January 17, 2001
		First Named Inventor	Lynn E. SPITLER
		Art Unit	1642
		Examiner Name	S. Unger
Total Number of Pages in This Submission	4	Attorney Docket Number	204372000901

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks:		

RECEIVED

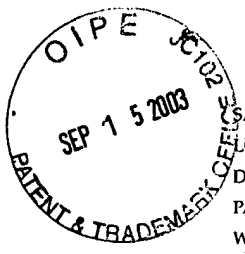
SEP 17 2003

CUSTOMER NO. 25225

TECH CENTER 1600/2900

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Kate H. Murashige - 29,959
Signature	<i>Kate H. Murashige</i>
Date	September 12, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: 9/12/03	Signature: <i>Ruthie Vallejo</i> (Ruthie Vallejo)



MORRISON & FOERSTER LLP

ATTORNEYS AT LAW

SAN FRANCISCO
LOS ANGELES
DENVER
PALO ALTO
WALNUT CREEK
SACRAMENTO
CENTURY CITY
ORANGE COUNTY
SAN DIEGO

3811 VALLEY CENTRE DRIVE, SUITE 500
SAN DIEGO, CALIFORNIA 92130-2332
TELEPHONE (858) 720-5100
TELEFACSIMILE (858) 720-5125

NEW YORK
WASHINGTON, D.C.
NORTHERN VIRGINIA
LONDON
BRUSSELS
BEIJING
HONG KONG
SINGAPORE
TOKYO

September 12, 2003

Writer's Direct Contact
(858) 720-5112
KMurashige@mofo.com

Cecile Fromen-Romano, Ph.D.
Patent Engineer
Immuno-Designed Molecules (IDM)
172 rue de Charonne
75011, Paris,
France

Re: U.S. Patent Application No. 09/764,546
Title: THERAPEUTIC PROPERTIES OF LIPSOME-
ENCAPSULATED IMMUNOMODULATORS
By: Lynn E. SPITLER, *et al.*
Our reference: 20437-20009.01

RECEIVED

SEP 17 2003

TECH CENTER 1600/2900

Dear Dr. Fromen-Romano:

Enclosed for your records is a copy of the Office Action Response along with the accompanying paperwork as filed in the U.S. Patent and Trademark Office on September 12, 2003.

We will keep you informed of further developments.

Best regards,

Kate H. Murashige

KHM:rv
Enclosures
cc: Jacques Bartholeyns (w/encls.)